

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ERIC FORSYTHE, Individually And On Behalf Of)	
All Others Similarly Situated,)	
)	
Plaintiff,)	Civil Action No. 04cv10584 (GAO)
)	
vs.)	
)	
SUN LIFE FINANCIAL INC., et al.,)	
)	
Defendants.)	
)	
LARRY R. EDDINGS, Individually And On Behalf)	
Of All Others Similarly Situated,)	
)	
Plaintiff,)	Civil Action No. 04cv10764 (GAO)
)	
vs.)	
)	
SUN LIFE FINANCIAL INC., et al.,)	
)	
Defendants.)	
)	
RICHARD KOSLOW, Individually And On Behalf)	
Of All Others Similarly Situated,)	
)	
Plaintiff,)	Civil Action No. 04cv11019 (GAO)
)	
vs.)	
)	
SUN LIFE FINANCIAL INC., et al.,)	
)	
Defendants.)	
)	
[caption continues on next page]		

**AMENDED MOTION FOR APPOINTMENT OF CO-LEAD
PLAINTIFFS, APPOINTMENT OF CO-LEAD COUNSEL
AND APPOINTMENT OF LIAISON COUNSEL AND FOR LEAVE TO
FILE A REPLY REGARDING CONSOLIDATION**

MARCUS DUMOND, HENRY BERDAT,
STUART V. And ROSEMARY STURGESS,
KATHLEEN BLAIR, WILLIAM And MARGIE
BOOTH, KAREN PEACH, And RICHARD And
EVELYN KELLER,

Plaintiff,

vs.

MASSACHUSETTS FINANCIAL SERVICES
COMPANY And MFS FUND DISTRIBUTORS,
INC.,

Defendants.

Civil Action No. 04cv11458 (GAO)

Plaintiffs Eric Forsythe (“Forsythe”) and Larry R. Eddings (“Eddings”), by their counsel, hereby move this Court for an Order (attached hereto): (i) appointing Forsythe, Eddings and the City of Chicago Deferred Compensation Plan (collectively, “Plaintiffs”) as Co-Lead Plaintiffs; (ii) approving Plaintiffs’ selection of Milberg Weiss Bershad & Schulman LLP, Weiss & Yourman and Bernstein Litowitz Berger & Grossmann LLP as Co-Lead Counsel to oversee the above-captioned actions (the “Actions”); and (iii) approving Plaintiffs’ selection of Moulton & Gans, P.C. as Liaison Counsel. In support of this Amended Motion, Plaintiffs submit herewith a Memorandum of Law (included with Plaintiffs’ Reply Brief in Support of Consolidation), a Declaration, and Amended [Proposed] Pretrial Order No. 2 For Appointment Of Co-Lead Plaintiffs, Appointment of Co-Lead Counsel And Appointment Of Liaison Counsel.

Plaintiffs also move this Court for leave to file the attached Reply Memorandum regarding the Memorandum of Law In Opposition To Motions For Consolidation And For Appointment Of Co-Lead Counsel, filed on July 21, 2004. The grounds for this motion are that the *Dumond* opposition raises issues previously unaddressed and the Reply Memorandum will aid the court in the determination of this matter.

Dated: September 15, 2004

Respectfully submitted,

MOULTON & GANS, P.C.

By: /s/ Nancy Freeman Gans
 Nancy Freeman Gans (BBO #184540)
 33 Broad Street, Suite 1100
 Boston, Massachusetts 02109-4216
 (617) 369-7979

Counsel for Plaintiffs Eric Forsythe and Larry R. Eddings and Proposed Liaison Counsel

**MILBERG WEISS BERSHAD
& SCHULMAN LLP**

Steven G. Schulman
Janine L. Pollack
Kim E. Levy
One Pennsylvania Plaza
New York, New York 10119-0165
(212) 594-5300

*Counsel for Plaintiff Eric Forsythe and Proposed
Co-Lead Counsel*

**BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP**

Alan Schulman
Robert S. Gans
Timothy A. DeLange
Jerald D. Bien-Willner
12544 High Bluff Drive, Suite 150
San Diego, California 92130
(858) 793-0070

*Counsel for Plaintiff Chicago Deferred
Compensation Plan and Proposed Co-Lead
Counsel*

WEISS & YOURMAN

Joseph H. Weiss
Richard Acocelli
551 Fifth Avenue, Suite 1600
New York, New York 10176
(212) 682-3025

*Counsel for Plaintiff Larry R. Eddings and
Proposed Co-Lead Counsel*

LAW OFFICES OF CHARLES J. PIVEN, P.A.

Charles J. Piven
Marshall N. Perkins
The World Trade Center – Baltimore
Suite 2525
401 East Pratt Street
Baltimore, Maryland 21202
(410) 332-0030

Counsel for Plaintiff Eric Forsythe

STULL, STULL & BRODY

Jules Brody
Aaron Brody
6 East 45th Street
New York, New York 10017
(212) 687-7230

Counsel for Plaintiff Larry R. Eddings

SCHIFFRIN & BARROWAY, LLP

Marc A. Topaz
Richard A. Maniskas
Three Bala Plaza East
Suite 400
Bala Cynwyd, Pennsylvania 19004
(610) 667-7706

Counsel for Plaintiff Richard Koslow

GILMAN AND PASTOR LLP

David Pastor (BBO #391000)
Stonehill Corporate Center
999 Broadway, Suite 500
Saugus, Massachusetts 01906
(781) 231-7850

Counsel for Plaintiff Richard Koslow

LOCAL RULE 7.1 CERTIFICATE

I, Nancy Freeman Gans, counsel for plaintiffs Eric Forsythe and Larry R. Eddings, certify that I have today, September 14, 2004, notified, as a courtesy, Jonathan Shapiro of Hale & Dorr LLP, George J. Skelly of Nixon Peabody LLP, John J. Falvey, Jr. of Testa, Hurwitz & Thibault James C. Rehnquist of Goodwin Proctor LLP and John D. Donovan of Ropes & Gray LLP about the filing of the Amended Motion For Appointment Of Co-Lead Plaintiffs, Appointment of Co-Lead Counsel And Appointment Of Liaison Counsel And For Leave To File A Reply Regarding Consolidation. I further certify that I spoke with Michelle Blauner, Esq., Shapiro, Haber & Urmy counsel for Marcus Dumond et al., concerning leave to file a reply. Ms. Blauner consents to the filing of a reply, but opposes the substance of the motions.

Dated: September 14, 2004

/s/ Nancy Freeman Gans
Nancy Freeman Gans

CERTIFICATE OF SERVICE

I, Daniel P. Dietrich, hereby certify that I served a copy of the foregoing document upon counsel for all parties by mailing a copy of the same, postage prepaid, to each attorney of record, this 15th day of September, 2004.

/s/ Daniel P. Dietrich
Daniel P. Dietrich